IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.
ORIGINAL JURISDICTION

On this 12th day of April 2004
Criminal Bail application No. 123 of 2004

Order on the bail application of accused.

Criminal Side

Tejpal @ Teja, S/o Jai Singh,
R/o village Kandela,
P.S. Kairana,
District Muzaffar Nagar (U.P.). -- Applicant.

Vs.

State of Uttaranchal --- Respondent.

Arising out of case crime No. 175/2003
U/Ss 302, 376, 511, 411, 404 I.P.C.
P.S. Gang Nahar,
District Haridwar.

By the court

Hon'ble Irshad Hussain, J.

Heard Sri Arvind Vashisth learned counsel for the applicant and learned A.G.A.

There is no direct evidence in this case. only the link to connect the applicant-accused with the offence is said to be the statement of one Pravesh Sharma who was examined under section 164 of the Code of Criminal Procedure on 27-09-2003 although he allegedly came to know about the incident in the morning of 25-09-2003. He had spoken of some bad eye being kept by the applicant-accused and one another on Km. Rekha Pandey deceased but the evidence is altogether negative in regard to any attempt of rape etc. on the said girl. The learned counsel for the applicant-accused led me through the entire statement of this witness and submitted that he is entirely a got up witnessed. Having considered these broad aspects of the case I am of the view that it is a fit case for bail.

The applicant-accused Tejpal @ Teja shall be released on bail in crime no. 175/2003, U/Ss 302, 376, 511, 411, 404 I.P.C., P.S. Gang Nahar , District Haridwar on his executing a personal bond and two sureties each in the like amount to the satisfaction of the Chief Judicial Magistrate, Haridwar.

(Irshad Hussain, J.)

Dt: 12-4-2004.

ISB